

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID BATES,

Plaintiff(s),

CASE NUMBER: 06-13470
HONORABLE VICTORIA A. ROBERTS

v.

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,

Defendant(s).

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ORDER ADOPTING REPORT AND RECOMMENDATION

On July 31, 2007, Magistrate Judge Steven D. Pepe submitted a Report and Recommendation [**Doc. 11**] recommending that the Court grant Defendant's Motion for Summary Judgment [**Doc. 9**] and deny Plaintiff's Motion for Summary Judgment [**Doc. 8**]. Because the Court has not received objections from either party within the time frame provided for in 28 U.S.C. § 636(b)(1) and E.D. Mich. LR 72.1(d)(3), the Court will adopt the Magistrate Judge's Report and Recommendation. The Court, therefore, **GRANTS** Defendant's Motion for Summary Judgment and **DENIES** Plaintiff's Motion for Summary Judgment.

IT IS SO ORDERED.

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: September 10, 2007

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on September 10, 2007.

s/Linda Vertriest _____
Deputy Clerk